

INFRASTRUCTURE COMMITTEE MEETING
TUESDAY, MAY 28, 2013
6 P.M.

HAMPDEN TOWN OFFICE

A G E N D A

1. MINUTES OF 4/22/2013
2. OLD BUSINESS
 - A. PUBLIC WORKS REQUESTS
 1. Truck Replacement Bids
 2. Proposed Meal Certificate Policy
 3. Water District Trustee Replacement Process
3. NEW BUSINESS
 - A. Road Discussion – winter maintenance
 1. Thomas Road
 2. Briar Lane
 3. Rushmore (Mead) Road
 4. Greystone Drive
 5. Perkins Road
4. PUBLIC COMMENTS
5. COMMITTEE MEMBER COMMENTS



INFRASTRUCTURE COMMITTEE MEETING MINUTES
MONDAY, APRIL 22, 2013

Attending:

Councilor Shelby Wright	Town Manager Susan Lessard
Councilor David Ryder	Public Works Director Chip Swan
Councilor Jean Lawlis	Resident Terry McAvoy
Councilor William Shakespeare	
Councilor Carol Duprey	

The meeting was opened at 6 p.m. by Committee Chair Councilor Wright.

1. MINUTES OF 2/25/2013 – Motion by Councilor Lawlis, seconded by Councilor Shakespeare to approve the minutes as presented. Unanimous vote in favor.
2. OLD BUSINESS
 - A. PUBLIC WORKS REQUESTS
 1. WATER/SEWER PROJECT – ROUTE 1A – The Public Works director explained that there were two sewer projects that needed to be done, one is the replacement of sewer lines on Route 1A from Western Avenue to the bottom of Water Works Hill in order to take advantage of a joint contract with the Water District who will be replacing the water lines in that area and the second is the renovation of two major pump stations – the one at the intersection of Route 202 and Western Avenue and the other the one on Mayo Road. Both pump stations have electronics that were installed in the 1980's and it is no longer possible to get parts for some of them. Ongoing breakdowns are costing a good deal of money to repair. The oldest sewer bond is paid off this year and if the Town decided to do these projects the amount of the new bond issue should be similar to the one that is being paid off, resulting in little difference in debt service payments but a reduction in operating costs due to fewer maintenance issues. Motion by Councilor Ryder, seconded by Councilor Lawlis to recommend to the full Council the development of an Ordinance to consider the Main Road North sewer line installation and two pump station rebuilds. Unanimous vote in favor. If adopted by the Council after a public hearing, this item would be on the November 2013 ballot for voter approval.
 2. TRUCK REPLACEMENT REQUEST – Public Works Director Swan requested permission from the Committee to go out to bid for a truck replacement for the 2003 Freightliner. He is requesting a smaller truck since it is used for the Business Park and in town routes for paving and would be more versatile for that purpose. In addition, the F550 requested would cost significantly less than the much larger truck currently in service. Motion by Councilor Shakespeare, seconded by Councilor Duprey to allow the Public Works Director to put out a bid for a public works truck to replace the 2003 Freightliner. Unanimous vote in favor.

3. PAVING BIDS – Public Works Director Swan discussed the paving bids received for the 2013 year. The low bid was submitted by Vaughan Thibodeau in the amount of \$69.69 per ton for paving and \$110 per ton for hand placed material. The Manager explained that funding for this comes from the current year budget and that the bid amount would not exceed the amount budgeted. Motion by Councilor Wright, seconded by Councilor Shakespeare to recommend to the full Council that the Town accept the bid from Vaughan Thibodeau in the amounts of \$69.69 per ton for paving and \$110 per ton for hand placed material. Unanimous vote in favor.
 4. X-WALKS & STRIPING QUOTES – Since the amount expended for these items is less than the \$10,000 bid amount, this was provided as an information item for the Committee by the Public Works Director. He solicited quotes from three vendors and selected the low bid for striping from Fine Line in the amount of \$6,850 and for crosswalks from Wilson's Line Striping in the amount of \$3,890. Both items are well within the budgets for this fiscal year.
 5. MOWER REPLACEMENT – After considerable discussion between the Committee and the Public Works Director, this item was postponed until the June 2013 Committee meeting.
 6. SALT BID – The Public Works Director presented the salt bids for 2013/2014. The Town 'piggybacks' with the State of Maine on this contract and the price presented is the same as it was for 2012/2013 in the amount of \$57.21 per ton. Motion by Councilor Lawlis, seconded by Councilor Wright to recommend to the full Council the acceptance of the salt bid from Harcross in the amount of \$57.21 per ton. Unanimous vote in favor.
 7. SHAW HILL EXTENSION – The Public Works director notified the Committee that he had received confirmation from the Maine Department of Transportation that the unmaintained 'leg' at the end of Shaw Hill Road where it connects to Western Avenue was the property of the Town of Hampden. Public Works will work to improve the condition of that piece of roadway this year and if there are sufficient monies in the paving contract it will be paved as well.
3. NEW BUSINESS
- A. POLICY DISCUSSION – EQUIPMENT REPLACEMENT – The Town Manager discussed the idea of developing a written replacement policy for all town vehicles and equipment so that Councilors could have more information available at the time they are asked to make purchasing decisions. It was the consensus of the Committee that this would be a good idea and the Manager will provide a draft for discussion at the next Infrastructure Committee meeting.
 - B. POLICY DISCUSSION – PUBLIC WORKS MEAL CERTIFICATES FOR SNOWSTORMS – The purpose of this item was to follow up discussion that had been held at a recent Finance Committee over whether or not it was appropriate for the town to provide a meal allowance to public works employees when they worked overtime for plowing. The legality of doing so without listing the allowance as income for the employees was raised as well. The Manager had an opinion from

the Town's auditors that it could be handled either as a taxable benefit or not, depending on the way in which a policy regarding the benefit was written. After considerable discussion of whether or not to continue the practice, to make it taxable, to expand it to allow use at entities other than Dysart's, or to increase it if it was made taxable, it was the consensus of the Committee that the Public Works Director and the Town Manager come back to the Committee with a policy for their review that continues the practice but makes it a taxable benefit.

4. PUBLIC COMMENTS - None
5. COMMITTEE MEMBER COMMENTS – None

The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Susan Lessard
Town Manager



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

May 20, 2013

To: Sue Lessard
From: Chip Swan
Subject: 2013 FORD F-550 DIESEL TRUCK BID RESULTS

Bids were publicly opened on MAY 16th at 10:00am for one 2013 FORD F-550 DIESEL TRUCK. The bid results are as follows:

<u>BIDDER</u>	<u>2013 TRUCK</u>	<u>TRADE</u>	<u>TOTAL PRICE</u>
WHITED	\$90239.80	\$17000.00	\$73239.80
DARLINGS			\$78853.00

I would recommend acceptance of the bid from Whited Truck for the final amount of \$73239.80.

I would like this item added to the May 28th infrastructure committee meeting.

Chip Swan, PWD

PUBLIC WORKS MEAL CERTIFICATE POLICY

At such time that Public Works Employees are required to work overtime for the purpose of plowing snow, they shall have the option of obtaining a \$10 meal certificate for meals during the overtime period worked.

The Public Works director shall keep a record of the certificates provided to each department member, and at the end of the plowing season, the total value of certificates granted shall be reflected on each employee's payroll record and taxed as earned income.

2-4-3

Donald Darling, Jr.
P.O. Box 439
Hampden, Maine 04444-0439

April 2, 2013

Hampden Water District Board
P.O. Box 218
Hampden, Maine 04444-0218

Re: Resignation

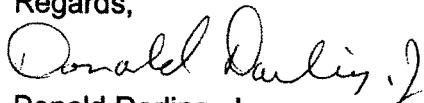
Gentleman,

The charter of the Hampden Water District requires members of the Hampden Water District Board to be a resident of the town. Due to my move from town, to be completed by April 30, I am obliged to resign my position as a Board Trustee.

Therefore, I resign my position as a Board Trustee effective April 30, 2013.

It was a pleasure to be in the company of the District staff and Trustees in service to the District. I consider my time well spent.

Regards,


Donald Darling, Jr.

April 25, 2013

Pursuant to due notice, a meeting of the Board of Trustees of the Hampden Water District was held at the office of the District on Thursday, April 25, 2013 at 4:00 pm.

Present: Trustees John Quesnel, Mark Beauregard, Dana Skinner, Shane Sargent, Don Skinner and HWD employees Jamie Holyoke and Becky Chase.

Members Absent: None

John Quesnel started the meeting at 4:05 p.m.

Public Comment: None

For Action:

1. The minutes from the March 21, 2013 board meeting were reviewed. Shane made a motion to accept the minutes, Don 2nd, passed unanimously.
2. The minutes from the April 1, 2013 Special board meeting were reviewed. Shane made a motion to accept the minutes, Don 2nd, passed unanimously.
3. The check register and reconciliation report from March 2013 were reviewed. Shane made a motion to accept, Don 2nd, passed unanimously.
4. A letter from HWD customers, Ken and Dorothy Pomeroy, was presented to the board. The Pomeroy's April 2013 water bill was extremely high (\$918.13). The customers discovered and corrected the issue directly after Becky contacted them in regards to the high usage. Mark made a motion to split the bill with the customers and spread the amount over a twelve month period with no interest, Don 2nd, passed unanimously.
5. Mark made a motion to purchase a PAX mixer in the amount of \$36,875.00 for the Ballfield Rd tank, with the funds coming out of the Standpipe account at Bangor Savings Bank, Don 2nd, passed unanimously.

Discussion:

1. The board reviewed the budget.
2. The board was informed that the bids for the 2013 MRN Pipe Replacement project will be opened at the Hampden Water District on May 7, 2013 at 1:00pm.
3. The board was informed that the HWD received two grant checks for the well exploration in back of the office. The total of the checks were \$12,421.26.
4. The board had no need to go into executive session at this time.

5. Water quality is very good at this time. The spring hydrant flushing program has started and will continue for the next couple of weeks.
6. Jamie informed the board that the internet company, AiroComm, has not supplied him with the information that the board had requested. The board said to not pursue this matter any further, to wait until all the information that was requested, be submitted by AiroComm.
7. The Ballfield Rd Standpipe will be drained and inspected by Utility Services on May 10, 2013. Jamie will keep the board posted on the condition of the tank.
8. Becky passed out information on VPS Payment Products and Services, an option for customers to pay their water bill on-line or by debit/credit card. The board asked Becky to look into other companies to compare products.
9. Don Darling was presented with a plaque and fleece jacket for his time served on the district board. Don will be resigning from the board as of April 30, 2013, due to relocating out of Hampden.
10. Jamie is getting prices from certain contractors on the Daisy Ln Rt 202 tie in.

The next regular board meeting was scheduled for Thursday, May 16, 2013 at 4:00 pm. There being no further business to come before the meeting, Mark made a motion to adjourn. Don 2nd, motion passed unanimously and the meeting adjourned at 5:32 p.m.

Respectfully submitted,

Dana Skinner
Clerk
Hampden Water District
(Notes taken and typed by Becky Chase)

November to April, inclusive. The winter closing process requires four steps. The law specifies that some of these steps be taken between May 1 and October 1. To be safe, we recommend that the entire process be done in that time period.

- First, the municipal officers themselves, or upon petition of at least seven voters, draw up a list of roads proposed to be closed. The issue is whether it is “unnecessary” to maintain a road in view of its population, use and travel in winter.
- Second, the municipal officers schedule a public hearing to discuss the list of proposed winter closings. They must place written notice of this hearing in some conspicuous public place at least seven days before the hearing.
- Third, after the public hearing the municipal officers file with the clerk an order specifying the road (or portion thereof) to be closed to winter maintenance. This order also must specify the months of non-maintenance and the number of years the closing order will be in effect. A winter closing can run from one to ten years; if the order fails to specify, it is for one year only.
- Fourth, the legislative body must vote to approve each order, or vote to provide that each order made by the municipal officers is a final determination. In a town meeting town, this step will require a town meeting vote.

Sample orders and articles pertaining to this process are included in Appendix G.

A winter closing order can be altered, but only *after* one year from the date the legislative body has approved it. Alteration of an order can be proposed by the municipal officers or upon petition of seven voters. The steps in the alteration process track those of the initial approval process, except that only the municipal officer need approve the alteration.

A winter closing order or alteration order may be appealed to the county commissioners within thirty days of this final determination by the legislative body. The appeal must be brought by petition of seven voters to the county commissioners. The county commissioners will conduct a *de novo* hearing on the appeal of the order, and so the municipality should be prepared to prove that the road closing or alteration meets the statutory standard.

There is some confusion about who can use roads that have been closed to winter maintenance. It is not uncommon for private citizens to volunteer to plow a closed road at their own expense, in order to use the road for logging or some other purpose, but we recommend that the municipality not authorize or condone plowing such roads for easier access. The reason for this advice is that a plowed road may appear open and safe to passersby, when in fact it is poorly plowed and hazardous to travel. The municipality would likely be sued in the event of an injury, and even if not liable it would incur legal

fees in defending itself. The safe approach is to disallow closed roads to be privately plowed.²³

Snowmobiles and all terrain vehicles (ATVs) are a different matter. In both cases, snowmobiles and ATVs may operate on any public way which has been closed for winter maintenance.²⁴ Maine law is silent about whether other vehicles may use snowbound roads that have been closed for winter.

Temporary Closings and Weight Restrictions.²⁵ Many roads are vulnerable to damage during certain times of the year. Maine law allows municipalities to close a road to all traffic during these seasons, or to impose restrictions upon the gross weight, speed, operation and equipment of vehicles, as determined by the municipal officers.

Closing roads requires adoption of an ordinance or regulations; posting signs is insufficient.

Also, although this section no longer specifically authorizes only a temporary closure, that was its original intent, and so MMA Legal Services staff is of the opinion that this law only authorizes a

temporary closing. (If year-round regulation of a road is necessary to protect the public health, safety and welfare, the municipal officers may adopt a traffic ordinance under 30-A M.R.S.A. § 3009.) However, this temporary closing may be at any time of the year—it is no longer limited to springtime or “mud season.” The law allows posting of bridges as well as of roads.

A temporary closing/weight restriction may be accomplished by regulations or an ordinance adopted by the municipal officers. MMA’s Road Weight Limits/Seasonal Road Closings Information Packet contains sample forms, a sample ordinance and other information on this topic. When restricting the weight limit for vehicles on a road or bridge, we recommend that the *registered weight* of the vehicle be used as the guideline. This will avoid the need for scales or other devices to measure the vehicle’s actual weight.

Some weight-limit regulations provide that a permit can be obtained to use an otherwise off-limits road. The permit should require the vehicle owner to post a bond or other security to repair any damage to the road, as authorized by state law.²⁶ For example, a logging operation could be allowed to use a dirt road in the spring if the logger agrees to pay for any road or drainage damage resulting from his operation. To protect the town, we recommend that a bond or other surety be required to cover the full cost of all potential damage, not just surface damage.

Typically, road weight regulations contain exceptions for emergency vehicles, fuel deliveries and utility trucks. State law now specifically exempts vehicles delivering home heating fuel from having to obtain a local permit so long as they operate in accordance with a permit issued by MaineDOT.²⁷ It also specifically exempts “a person operating a